

FISCAL NOTE
HB 3381 - SB 3367

March 23, 2004

SUMMARY OF BILL: Provides notwithstanding any law or regulation to the contrary, children adjudicated delinquent, placed in the custody of a juvenile court and placed in a hardware secure facility under the supervision of the court shall not be subject to behavior management policies or regulations that prohibit the use of medications, mechanical restraints, or seclusion, including, but not limited to use of key locks, slide bolts or other means of individual restraint or confinement. Currently, the law applies to Memphis-Shelby County Juvenile Court that operates or supervises such facilities. Current law provides that such facilities shall meet the minimum qualifications and standards for programs and care of the Department of Children's Services, which place restrictions on the use of medications, mechanical restraints and seclusion.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$1,184,400 Recurring
\$63,400 One-Time

Other Fiscal Impact - the Department of Children's Services will redirect \$7,829,100 in funds to other contract providers currently paid for placement in facilities under the supervision of the Memphis-Shelby County Juvenile Court.

Estimate assumes:

- the Department of Children's Services will phase out contracting with the Memphis-Shelby County Juvenile Court for the custody and treatment of juveniles adjudicated delinquent in the hardware-secure facilities under the supervision of the court.
- an increase in state expenditures of \$1,184,400 and \$63,400 for 26 positions for the case management of 433 additional juveniles that will be committed to state custody rather than Memphis-Shelby County retaining custody.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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